

Remarks

Upon entry of the above amendments, this application will contain claims 1, 3, 5, 8, 11-18, 20-23, 27-39, and 44 pending. In the present Response, claim 10 has been canceled and claims 1, 11, 28, 29, and 30 have been amended. It is acknowledged that amendments to the claims after a Final Rejection are not entered as a matter of right. However, it is believed that the current amendments as discussed below will place the application in condition for allowance.

I. Rejections under §112, second paragraph

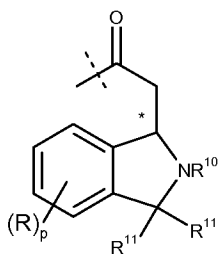
Claims 1,3,5,8, 10-18, 20-23, 27, 29-39 and 44 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

1. Claim 1 required clarification for “E”. Claim 1 has been amended to recite that the double bond in the Z is between the “C(R⁹) carbon and an adjacent carbon attached to R¹”. Support for this amendment can be found in the present application in example 241, page 76, *inter alia*. (All citations to the present application refer to the published US patent application, US 2005/007544, published 7 April 2005.)

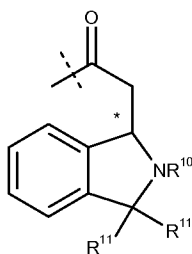
2. It was noted that claim 1 as Previously Presented did not recite the variable “R_{1a}”. Claim 1 has been amended to reinstate the variable R_{1a} inserted between the two occurrences of C₁-C₈ alkyl. In addition, the variable “p is 0-4” in the last line of the claim has been re-inserted. It is believed that both the R_{1a} and p variables were inadvertently deleted in the prior response. For support reference can be made to the claims as originally filed. Claim 30 has been similarly amended.

3. Claim 29 was rejected for ending in “and” without a period. Claim 29 as been amended accordingly as suggested in the Office Action.

4. Claim 30 was rejected for retaining the “R” variable in the structures for “-CLL’-(CH₂)_n-T”; in addition, the “Q” definition was garbled. Claim 30 has been amended by replacing the structure



with the structure



. The definition for “Q” in claim 30 has

also been amended to recite Q is represented by the moiety". It is believed that these amendments do not add new matter, but merely correct clerical errors.

5. Claim 10 was objected as being of improper dependent form. Claim 10 has been canceled.

6. Claims 30-39 are rejected under 35 USC §112, first paragraph; it was noted that "heteroaryl" was present within the "R_{1a}" variable in Claim 30. Claim 30 has been amended to delete heteroaryl from the listing of variables for R_{1a}.

II. Claim Amendments:

Claim 28 (currently withdrawn from consideration) has been amended to correct a typographical error by replacing the term "alpha²" with --alpha 2--. It is believed that this does not add new matter. Rejoinder of claim 28 is requested.

In addition, various typographical errors in claims 1, 11, 30 have been submitted. In claim 1, line 5, replacing "and" with --an--; line 7, deleting the comma between "Z" and "or"; in line 10 inserting --and-- before "C₁-C₈ alkyl"; line 17 deleting the extra "l" in "aryl"; and in line 28 adding an --s-- to the end to "substituent". Similar amendments have been submitted for claim 30 where necessary.

Claim 11 has been amended by replacing "R^{1a}" with --R_{1a}--

III. Conclusion:

In light of the above comments and amendments to the claims, the Applicants respectfully request withdrawal of all rejections and timely reconsideration of this application leading to allowance of all elected claims. In addition, the Examiner is invited to contact the undersigned attorney by telephone if there are any questions about this Response or other issues that may be resolved in that fashion.

Respectfully submitted,

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